

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 98-548

September 28, 1998

CENTRAL MAINE POWER COMPANY  
Request for Permanent Exemption  
from Sections 9 and 17 of  
Chapter 81 of the Commission's  
Rules

ORDER APPROVING  
REQUEST FOR  
PERMANENT EXEMPTION

WELCH, Chairman; NUGENT, Commissioner

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### **SUMMARY OF DECISION**

By this Order, the Commission approves Central Maine Power Company's (CMP) August 28, 1998 request for permanent exemption from certain provisions in Chapter 81, Sections 9(F), 17(D), and 17(I) so that CMP can continue the Alternative Winter Disconnection Program authorized for the previous three winters.

### **DISCUSSION**

On July 17, 1998, CMP filed a request for permanent exemptions from certain provisions in Chapter 81 and to modify the previously-approved alternative credit and collection program for disconnection during the winter period. The Commission granted CMP these same exemptions annually for the past three years. On August 28, 1998, CMP withdrew its July 17 request and submitted a filing requesting the same permanent exemptions but continuing the same alternative program. During review of the July 17 filing, the Staff discovered that the exemption from Section 9(F) to allow cycled disconnection was unintentionally eliminated. On September 8, 1998, CMP submitted another filing to add the request for permanent exemption from Section 9(F) to allow for cycled disconnection during the winter period.

Chapter 81, Residential Utility Service Standards for Credit and Collection Programs, Section 9(F) limits the effective period of a disconnection notice to ten (10) business days. If a utility fails to properly disconnect service within ten (10) business days after the disconnection date, the disconnection notice procedures must be repeated. The Commission has granted CMP an exemption from Section 9(F) so that disconnection notices issued from November 1 through March 31 can be effective for 20 business days to accommodate extensive contact attempts requiring CMP's alternative winter disconnection program. The Commission also exempted CMP from Section 9(F), thereby allowing CMP to

cycle disconnect the customer up to five times on the same disconnection notice.

Section 17(D) requires a utility to attempt personal contact with every customer to whom a disconnection notice was sent unless the amount owed has been paid, whether or not the utility actually intends to disconnect. The Commission has exempted CMP from Section 17(D), thereby allowing CMP to limit premise visits to those customers the Company intends to disconnect.

Section 17(I) requires a utility to obtain authorization from the Consumer Assistance Division to disconnect a customer if the utility is not able to make contact with the customer. The Commission exempted CMP from Section 17(I), thereby allowing CMP to self-regulate the decision to cycle disconnect customers without obtaining permission from the Consumer Assistance Division when CMP is unable to achieve contact with the customer.

These exemptions are necessary to implement the alternative winter disconnection program which CMP has used for three years. There have been no consumer complaints concerning this program. Therefore, we will allow the exemptions on a permanent basis in connection with the previously approved alternative credit and collection program.

Accordingly, we

O R D E R

1. That the exemption from Chapter 81, Residential Utility Service Standards for Credit and Collection Programs, Section 9(F) that allows for cycle disconnection during the winter period as described in the Request for Exemption in Docket 94-333, is hereby permanently granted.

2. That the exemption from Chapter 81, Section 9(F) that allows the disconnection notices issued from November 1 through March 31 to be effective for 20 business days to accommodate the contact attempts of Central Maine Power Company's alternative winter disconnection program is hereby permanently granted.

3. That the exemption from Chapter 81, Section 17(D) that allows Central Maine Power Company to limit premise visits to those customers the Company intends to disconnect is hereby permanently granted.

4. That the exemption from Chapter 81, Section 17(I) that allows Central Maine Power Company to self-regulate the decision to cycle disconnect customers without obtaining permission from the Consumer Assistance Division when CMP is unable to achieve contact with the customer is hereby permanently granted.

5. That Central Maine Power Company shall continue to undertake the data gathering and evaluation related to the Winter Rule exemptions and submit its report on or before July 1 of each year. If any required data are not collected, the Company shall describe the efforts it made to collect the missing data, the cost of obtaining the data, and why the data were not collected on or before December 31 of any year in which it did not collect the data.

Dated in Augusta, Maine this 28th day of September, 1998.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR: Welch  
Nugent

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of

review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.